

Exhibit C

From: [Gaglio, Nicholas E.O.](#)
To: [Ho, Derek T.](#); [Hawthorne, Donald W.](#); [Donovan, Donald Francis](#); ["Bortnick, Richard" \(rbortnick@cozen.com\)](#)
Cc: [Tate, Joseph](#); [Bird, Daniel G.](#); [Tsao, Leo R.](#); [Lee, Evan T.](#); [Jones, Shawndra G](#); [Rosenberg, Ilan](#)
Subject: RE: FTP password
Date: Tuesday, August 07, 2012 12:31:23 PM
Attachments: [NYDOCS-#1465298-v1-Little Confidentiality Agreement.DOC](#)

Derek –

Thank you for your agreement with respect to entry of the Stipulation and Proposed Confidentiality Agreement. We agree to your proposed changes and will forward you an executed version later this afternoon, and will assist in submitting the final version to the Court promptly. Note that we have revised the title, and also modified paragraph 2(b) slightly to correct the identification of the Caymans matter (see attached). By way of clarification, we would ask for your agreement that upon execution, the signatories will operate pursuant to the terms of the stipulation as if it was so ordered by the Court. This way, any delay in the Court's response will not delay production of unredacted versions of documents.

With respect to Request number 5, our position remains that the ownership and control of Echemus is relevant to determining Mr. Little's responsibility for and involvement in the relevant conduct at issue here. We understand your position, however, and will proceed with the deposition in full reservation of our rights.

We have still not received the first installment of Mr. Little's privilege log, which we understood you would begin producing yesterday. While we appreciate the courtesy of the general description of the bases likely to be asserted, our ability to understand Little's assertions of privilege and to resolve disagreements relating thereto in advance of the deposition is impossible without a complete log. Again, we will proceed with the deposition, but in full reservation of our rights, including to continue Mr. Little's deposition, as appropriate.

We will respond to your more recent email shortly.

– Nick

Nicholas E. O. Gaglio
Partner
Axinn | Veltrop | Harkrider | LLP
114 West 47th Street
New York, New York 10036
+1 212-728-2228
+1 212-728-2201 (fax)
neog@avhlaw.com
www.avhlaw.com

From: Ho, Derek T. [mailto:dho@khhte.com]
Sent: Monday, August 06, 2012 11:46 PM
To: Hawthorne, Donald W; Donovan, Donald Francis; 'Bortnick, Richard' (rbortnick@cozen.com)
Cc: Tate, Joseph; Bird, Daniel G.; Tsao, Leo R.; Gaglio, Nicholas E.O.; Lee, Evan T.; Jones, Shawndra G
Subject: RE: FTP password

Counsel:

Further to our meet and confer this afternoon:

- 1) With respect to your question regarding General Objection No. 9, we are agreeable in principle to your proposal to produce documents (including unredacted versions of documents that have been produced in redacted form) containing the information referenced in that objection pursuant to your proposed Protective Order. We have attached some proposed revisions to the Protective Order. Please let us know if these revisions are acceptable.
- 2) With respect to your question regarding our objections to Request No. 5, we remain unwilling to produce documents concerning investors in or persons with an ownership interest in Echemus who are not Respondents in this action. We continue to believe that information is not relevant to the issue of personal jurisdiction over Mr. Little. If you believe this information is relevant, we ask you to explain the basis for your position. As for the proposed Protective Order, it does not alleviate our confidentiality concerns as to this category of information, which include the risk of harm associated with CWW and ACE's use of the information about these investors – for example, to disrupt Echemus's broader business relationships with them to the detriment of Echemus, Mr. Little, and the investors themselves. We ask you to reconsider your requests to the extent it seeks this information.
- 3) With respect to your request for a list of the privileges that Mr. Little expects to assert, it is our current, good-faith intention that those grounds will consist of the attorney-client privilege, the work product protection, the common interest / joint defense privilege, and analogous privileges under B.V.I. law (which I believe are commonly referred to as the solicitor-client privilege, litigation privilege, and common interest privilege). We do not by providing this list as a courtesy to you intend to waive our right to assert additional bases for privilege to the extent they may arise.

In the interests of time, we ask that you provide a written response to #1 and #2 above by noon tomorrow, or, if you prefer, make yourselves available for a further meet-and-confer at that time.

Sincerely,

Derek

From: Hawthorne, Donald W [<mailto:dwh@avhlaw.com>]

Sent: Saturday, August 04, 2012 2:29 PM

To: Ho, Derek T.; Donovan, Donald Francis; 'Bortnick, Richard' (rbortnick@cozen.com)

Cc: Tate, Joseph; Bird, Daniel G.; Tsao, Leo R.; Gaglio, Nicholas E.O.; Lee, Evan T.; Jones, Shawndra G

Subject: RE: FTP password

Derek:

In view of the deposition scheduled for next week, and the evident insufficiency of Mr. Little's response, we request a telephonic meet and confer at 1:00 or 2:00 on Monday.

Please let us know your preference; we will arrange a dial-in.

Don Hawthorne

Donald W. Hawthorne

Partner

Axinn | Veltrop | Harkrider | LLP

114 West 47th Street

New York, New York 10036

(212) 261-5665

dwh@avhlaw.com

www.avhlaw.com

From: Ho, Derek T. [<mailto:dho@khhte.com>]

Sent: Friday, August 03, 2012 10:26 PM

To: Hawthorne, Donald W; Donovan, Donald Francis; 'Bortnick, Richard' (rbortnick@cozen.com)

Cc: Tate, Joseph; Bird, Daniel G.; Tsao, Leo R.

Subject: FTP password

Password: dnk!123k

Notice: The information contained in this electronic mail and any attached documents from Axinn, Veltrop & Harkrider LLP is confidential. This email may be an attorney-client communication, and as such is privileged and confidential. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the content of this information is prohibited. If you have received this electronic mail in error, please notify us immediately by telephone (212) 728-2200/(860) 275-8100 or by reply electronic mail to the sender.

IRS Circular 230 disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

Notice: The information contained in this electronic mail and any attached documents from Axinn, Veltrop & Harkrider LLP is confidential. This email may be an attorney-client communication, and as such is privileged and confidential. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the content of this

information is prohibited. If you have received this electronic mail in error, please notify us immediately by telephone (212) 728-2200/(860) 275-8100 or by reply electronic mail to the sender.

IRS Circular 230 disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.
